	Application No.	Applicant(s)
Notice of Allowability	09/580,233	ADDUCI ET AL.
	Examiner	Art Unit
	Jason M. Borlinghaus	3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *4/20/07 & 4/25/07*.

2. ☒ The allowed claim(s) is/are *1-33*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *4/20/07* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with John Freeman on 4/25/2007.

Specification

Replace the paragraph beginning at page 8, line 3 with the following paragraph:

The estimator 30 includes a revenue estimator 34 and a cost estimator 32.

The user input interface 22 provides input data to the cost estimator 32 and the

revenue estimator 34. <u>As shown in FIG. 1, the</u> ~~The~~ cost estimator <u>also</u> receives

input data from the cost data 14 on wireless infrastructure deployment, the cost data

16 on operating and maintaining deployed wireless infrastructure, and <u>the adjusted</u>

<u>adoption curve via</u> the application tailoring module 36. <u>As shown in FIG. 1, the</u> ~~The~~

revenue estimator 34 <u>also</u> receives input data from the revenue data 18, the market

data 12, and <u>the adjusted adoption curve via</u> the application tailoring module 36.

The revenue estimator 34 and the cost estimator 32 are arranged for communication

with the financial analyzer 42.

Replace the paragraph beginning at page 22, line 24 with the following paragraph:

In step S15 after step S14, the financial analysis system 45 evaluates the user input, the general market data 12, and the adjusted adoption curve to estimate revenue per application, a cost per application, or both. For example, the revenue estimator 34 may estimate revenue per application based on the accepted user input, the general market data 12, and the adjusted adoption curve. As shown in FIG. 1, the revenue estimator 34 may estimate revenue based on user input from user input interface 22, general market data 12, revenue data 18 and the adjusted adoption curve. The cost estimator 32 may estimate cost per application based on the accepted user input, the general market data 12, and the adjusted adoption curve. As shown in FIG. 1, the cost estimator 32 may estimate cost based on user input from user input interface 22, cost data 14, cost data 16 and the adjusted adoption curve. The estimator 30 processes the general market data 12 to provide cost and revenue data for an application in the context of the adjusted adoption curve.

Claims

Claims 1 and 17 are amended. Claims 28 – 33 are added.

Claim 1. A method for providing a financial analysis for an enhanced wireless communications service, the method comprising:

accepting user-specific input into a computer relating to an existing wireless

communications service and the enhanced wireless communications service, wherein

the user-specific input includes a wireless application selection for selecting at least one

wireless application supported by the enhanced wireless communications service and a

market data input interface for entering existing data about the existing wireless

communications service;

accessing a reference database including general market data applicable to the

enhanced wireless communications service and a standard adoption curve for adoption

of the enhanced wireless communications service, wherein said market data comprises

at least one of demographic or financial data, wherein the reference database further

includes a first set of cost data values associated with a wireless infrastructure

deployment cost and a second set of cost data values associated with an operations

and maintenance cost for the enhanced wireless communications service, wherein the

reference database further includes a revenue data value associated with the existing

wireless communications service;

adjusting the standard adoption curve to obtain an adjusted adoption curve,

wherein the adjusted adoption curve is responsive to changes in a parameter

associated with the standard adoption curve and selected from the group consisting of a

geographic region, a slope and a saturation point [based on the accepted user-specific

input];

estimating at least one potential revenue value associated with the at least

one wireless application, wherein estimating comprises generating at least one

revenue estimate based on the accepted user-specific input, the revenue data value,

the general market data and the adjusted adoption curve [to generate the at least one

revenue estimate], and wherein estimating further comprises generating at least one

cost estimate based on the first set of cost data values, the second set of cost data

values and the adjusted adoption curve;

generating a financial analysis, wherein the financial analysis is selected from a

group consisting of net present value (NPV), internal rate of return (IRR), return on

investment (ROI) and payback period; and

presenting a graphical depiction of [[a]] the financial analysis based on an

evaluation of the at least one potential revenue value, the adjusted adoption curve, the

general market data, the first set of cost data values, the second set of cost data values

and the revenue data value.

Claim 17. A system for developing a business model for an enhanced wireless

communications service, the system comprising:

a storage device containing a reference database including general market data

for the enhanced wireless communications service and a standard adoption curve for

adoption of the enhanced wireless communications service, where the reference

database further includes a first cost data value associated with a wireless infrastructure

deployment cost and a second cost data value associated with an operations and

maintenance cost for the enhanced wireless communications service, where the

reference database further includes a revenue data value associated with an existing wireless communications service;

a user input interface for accepting user-specific input relating to an existing wireless communications service and the enhanced wireless communications service, wherein the user-specific input includes a wireless application selection for selecting at least one wireless application supported by the enhanced wireless communications service and a market data input interface for entering existing data about the existing wireless communications service;

an application tailoring module for modifying the standard adoption curve to obtain an adjusted adoption curve, wherein the adjusted adoption curve is responsive to changes in a parameter associated with the standard adoption curve and selected from the group consisting of a geographic region, a slope and a saturation point [based on the accepted user-specific input];

an estimator adapted to access the reference database and to receive the user-specific input to perform a financial analysis associated with the enhanced wireless communications service as a function of the user-specific input, the first cost data value, the second cost data value, the adjusted adoption curve and the revenue data value, the estimator for generating an estimated revenue value and an estimated cost value;

a financial analyzer that generates a financial analysis, wherein the financial analysis is selected from the group consisting of net present value (NPV), internal rate of return (IRR), return on investment (ROI) and payback period; and

a wherein the financial analyzer presents [for presenting] a graphical depiction of the financial analysis.

Claim 28. The method according to claim 1, wherein the parameter is the geographic region.

Claim 29. The method according to claim 1, wherein the parameter is the slope.

Claim 30. The method according to claim 1, wherein the parameter is the saturation point.

Claim 31. The system according to claim 17, wherein the parameter is the geographic region.

Claim 32. The system according to claim 17, wherein the parameter is the slope.

Claim 33. The system according to claim 17, wherein the parameter is the saturation point.

Allowable Subject Matter

Claims 1 – 33 are allowed.

The following is an examiner's statement of reasons for allowance.

The prior art fails to teach or suggest, the limitations of:

A method for providing a financial analysis for an enhanced wireless communication service comprising, in part, "adjusting the standard adoption curve to obtain an adjusted adoption curve, wherein the adjusted adoption curve is responsive to changes in a parameter associated with the standard adoption curve and selected from the group consisting of a geographic region, a slope and a saturation point." (as in independent Claim 1); and

A system for developing a business model for an enhanced wireless communications service comprising, in part, "an application tailoring module for modifying the standard adoption curve to obtain an adjusted adoption curve, wherein the adjusted adoption curve is responsive to changes in a parameter associated with the standard adoption curve and selected from the group consisting of a geographic region, a slope and a saturation point." (as in independent Claim 17).

Such limitation is present in all independent claims.

The general concept of an adoption curve is old and well known in the art of marketing, such adoption curve indicates the rate of adoption of a new product and/or service by the public. The adoption curve is generally portrayed as a bell curve, visually demonstrating the rate of adoption of a new product and/or service over a continuum of time, represented along the x-axis. The bell curve is generally segmented into groups, each grouping indicative of a segment of the public. The public is generally segmented

into groups consisting of innovators, early adopters, early majority, late majority and

laggards, each respective group further removed in time from the time the product

and/or service was introduced to the market.

The instant application distinguishes from this common practice through

adjustment of a standard adoption curve into an adjusted adoption curve, wherein the

adjusted adoption curve is responsive to changes in a parameter associated with the

standard adoption curve, such as a geographic region, a slope or a saturation point.

Kotler (Kotler, Philip & Armstrong, Gary. *Principles of Marketing. 8th Edition.*

Prentice Hall. 1999. pp. 156 – 159) discloses the use of an adoption curve as a general

model of a buyer's decision process. While Kotler discloses that a product's

characteristics, such as its compatibility with older products, influences the rate of

adoption, Kotler does not teach nor suggest the applicant's adjustment of a standard

adoption curve into an adjusted adoption curve, wherein the adjusted adoption curve is

responsive to changes in a parameter associated with the standard adoption curve,

such as a geographic region, a slope or a saturation point.

Neither this non-patent literature prior art reference, alone nor in combination

with others, discloses nor teaches the feature of adjusting a standard adoption curve to

obtain an adjusted adoption curve, wherein the adjusted adoption curve is responsive to

changes in a parameter associated with the standard adoption curve, such as a

geographic region, a slope or a saturation point.

Ouimet (US Patent 6,094,641) discloses a method for incorporating

psychological effects into a demand model for pricing. Ouimet discloses adjusting said

demand model to obtain an adjusted demand model, wherein the adjusted demand model is responsive to changes in promotional efforts and product visibility. However, Ouimet does not teach nor suggest an adoption curve nor the applicant's adjustment of a standard adoption curve into an adjusted adoption curve, wherein the adjusted adoption curve is responsive to changes in a parameter associated with the standard adoption curve, such as a geographic region, a slope or a saturation point.

Neither this patent prior art reference, alone nor in combination with others, discloses nor teaches the feature of adjusting a standard adoption curve to obtain an adjusted adoption curve, wherein the adjusted adoption curve is responsive to changes in a parameter associated with the standard adoption curve, such as a geographic region, a slope or a saturation point.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
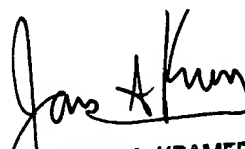
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMB
April 27, 2007

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